IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Bail Appl..No. 1219 of 2007()

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CRIME NO.283/06 OF KUTTIPPURAM POLICE STATION

: PETITIONER/ACCUSED NO.3

VINEESH, AGED 25 YEARS,
S/O.VELAYUDHAN, KOMBATH HOUSE, AMBADHKAR COLONY,
MANAKKAPPADY KARA, KARUMALLOOR VILLAGE,
NORTH PARAVUR.

BY ADV. SRI.P.K.SAJEEV

RESPONDENT/KERALA:

STATE OF KERALA,
REPRESENTED BY S.I. OF POLICE,
KUTTIPPURAM, REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1219 OF 2007 B

Dated this the 5th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 3rd accused in Crime No.283/2006 of Kuttippuram Police Station for offences punishable under Secs.396, 302, 307, 341 and 326 read with section 34 I.P.C., seeks his enlargement on bail. The occurrence took place on 22.11.2006 and the petitioner was arrested on 2.12.2006.

2. Learned Public Prosecutor admitted that the final report has not been filed in this case even after 90 days of detention of the petitioner. If so, by virtue of the proviso to sec.167(2) Cr.P.C. the petitioner is entitled to be released on bail as of right.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Tirur and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

c. The petitioner shall make himself available for interrogation as and when required by the investigating officer.

d. Petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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